

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DC-0190

Inventors: Hamilton and Stanton

Serial No.: 10/089,475

Filing Date: August 12, 2002

Examiner: Pak, Michael D.

Customer No.: 26259

Group Art Unit: 1646

Confirmation No.: 1040

Title: Compositions and Methods for Modulating  
ATP-Binding Cassette Transmembrane  
Reporter Protein Expression

Electronically submitted via EFS-Web  
Date: April 3, 2009

I hereby certify that this paper is being electronically  
Submitted on the date indicated above to the  
Commissioner for Patents, U.S. Patent and  
Trademark Office (Office of Petitions)

By Jane Massey Licata  
Typed Name: Jane Massey Licata, Reg. No. 32,257

Commissioner for Patents  
U.S. Patent and Trademark Office  
(Office of Petitions)

PETITION UNDER 37 CFR 1.78(a)(6)

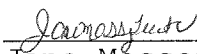
Petition is hereby made to claim the benefit of U.S. Provisional  
Application No. 60/158,000 filed October 6, 1999 and U.S. Provisional  
Application No. 60/194,274 filed April 3, 2000 in accordance with  
37 C.F.R. §§ 1.78(a)(2) and (a)5.

Attorney Docket No.: **DC-0190**  
Inventors: **Hamilton and Stanton**  
Serial No.: **10/089,475**  
Filing Date: **August 12, 2002**  
Page 2

The delay between the date the claim was due under 37 CFR \$1.78(a)2 and today was unintentional. Applicants claimed priority to U.S. Provisional Application Nos. 60/158,000 filed October 6, 1999 and 60/194,274 filed April 3, 2000 on the unexecuted Declaration and Power of Attorney for Patent Application filed on March 28, 2002 and on the executed Declaration and Power of Attorney for Patent Application filed on January 14, 2003. Claim for priority to these two provisional applications was also published on the cover sheet of the PCT application (of which this case is a national phase). However, the priority claim was not on the filing receipt issued by the U.S. Patent and Trademark Office on October 25, 2002.

An Application Data Sheet is being submitted herewith with the full priority claim. A petition fee of \$1,410.00 was paid by credit card on February 25, 2009. Please charge any other fees or credit any overpayment to Deposit Account No. 50-1619.

Respectfully submitted,

  
\_\_\_\_\_  
Jane Massey Licata  
Registration No. 32,250

Date: **April 3, 2009**  
Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053  
(856) 810-1515  
Email: JMLicata@licataandtyrrell.com